

[Handwritten Signature]
AO 440 (Rev. 12/09) Summons in a Civil Action

FILED

APR 15 2013

UNITED STATES DISTRICT COURT
for the

Northern District of Oklahoma

**Phil Lombardi, Clerk
U.S. DISTRICT COURT**

<u>PINNACLE PACKAGING COMPANY, Inc., et al.,</u>)	Civil Action No.	12-CV-537-JED-TLW
<i>Plaintiff</i>)		
v.)		
<u>ONE EQUITY PARTNERS LLC, ET AL.</u>)		
<i>Defendant</i>)		

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

One Equity Partners (Europe) GmbH
Taunusanlage 21
60325 Frankfurt am Main
Germany

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Laurence L. Pinkerton, Esq.
PINKERTON & FINN, P.C.
15 E. 5th Street, Penthouse Suite
Tulsa, Oklahoma 74103-4303
(918) 587-1800

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Phil Lombardi

CLERK OF COURT

S.G.

Signature of Clerk or Deputy Clerk

Date: Jan 14, 2013

9 aE 255/13

Attestation

CERTIFICATE

Zustellungszeugnis

Attestazione

FILED

APR 15 2013

L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,
 THE UNDERSIGNED AUTHORITY HAS THE HONOUR TO CERTIFY, IN CONFORMITY WITH ARTICLE 6 OF THE CONVENTION,
 Die unterzeichnete Behörde beeckt sich, nach Artikel 6 des Übereinkommens zu bescheinigen.
 L'autorità sottoscritta si prega di attestare in conformità all'art. 6 di detta Convenzione,

1. que la demande a été exécutée¹⁾dass das Ersuchen erledigt worden ist¹⁾THAT THE DOCUMENT HAS BEEN SERVED¹⁾che la domanda è stata eseguita¹⁾

- le (date) THE (DATE) - am (Datum) - il (data)
 - à (localité, rue, numéro) - AT (PLACE, STREET, NUMBER)
 - in (Ort, Strasse, Nummer) - a (località, via, numero)

15.03.2013

60325 Frankfurt am Main, Taunusanlage 21

- dans une des formes suivantes prévues à l'article 5:
 - in einer der folgenden Formen nach Artikel 5:

- IN ONE OF THE FOLLOWING METHODS AUTHORISED BY ARTICLE 5:
 - in una delle seguenti forme previste dall'articolo 5:

a) - selon les formes légales (article 5, alinéa premier, lettre a)¹⁾.
 - IN ACCORDANCE WITH THE PROVISIONS OF SUB-PARAGRAPH (A) OF THE FIRST PARAGRAPH OF ARTICLE 5 OF THE CONVENTION¹⁾.
 - in einer der gesetzlichen Formen (Art. 5 Abs. 1 Bst. a)¹⁾.
 - secondo le forme di legge (art. 5 comma 1 lett. a)¹⁾.

b) - selon la forme particulière suivante¹⁾:

- IN ACCORDANCE WITH THE FOLLOWING PARTICULAR METHOD¹⁾:
 - in der folgenden besonderen Form¹⁾:
 - secondo la forma particolare seguente¹⁾:

c) - par remise simple¹⁾.

- BY DELIVERY TO THE ADDRESSEE, WHO ACCEPTED IT VOLUNTARILY¹⁾
 - mediante semplice consegna).

durch einfache Übergabe¹⁾.

Les documents mentionnés dans la demande ont été remis à: CDP 06 144532 K

THE DOCUMENTS REFERRED TO IN THE REQUEST HAVE BEEN DELIVERED TO:

Die in dem Ersuchen erwähnten Schriftstücke sind übergeben worden an:

I documenti di cui alla domanda sono stati consegnati a:

- (Identité et qualité de la personne): (IDENTITY AND DESCRIPTION OF PERSON): Die Zustellung erfolgte durch
- (Name und Stellung der Person): - (identità e qualità della persona): Einlegen der zuzustellenden Schrift-
- liens de parenté, de subordination ou autres, avec le destinataire de l'acte: Stücke in den zu den Geschäftsräumen gehörenden
- RELATIONSHIP TO THE ADDRESSEE (FAMILY, BUSINESS OR OTHER): Briefkasten, da weder ein Angestellter noch ein
- Verwandtschafts-, Arbeits- oder sonstiges Verhältnis zum Zustellungsempfänger: gesetzlicher Vertreter angetroffen werden
- rapporto di parentela, di subordinazione od altro, con il destinatario dell'atto: konnte. Die Zustellung entspricht deutschen Rechtsvorschriften.

2. que la demande n'a pas été exécutée, en raison des faits suivants¹⁾:THAT THE DOCUMENT HAS NOT BEEN SERVED, BY REASON OF THE FOLLOWING FACTS¹⁾:dass das Ersuchen aus folgenden Gründen nicht erledigt werden konnte¹⁾:che la domanda non è stata eseguita, per i seguenti motivi¹⁾:

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint¹⁾.

IN CONFORMITY WITH THE SECOND PARAGRAPH OF ARTICLE 12 OF THE CONVENTION, THE APPLICANT IS REQUESTED TO PAY OR REIMBURSE THE EXPENSES DETAILED IN THE ATTACHED STATEMENT¹⁾.

Nach Artikel 12 Absatz 2 des Übereinkommens wird die ersuchende Stelle gebeten, die Auslagen, die in der beiliegenden Aufstellung im einzelnen angegeben sind, zu zahlen oder zu erstatten¹⁾.

In conformità all'articolo 12 comma 2 di detta Convenzione, il richiedente è pregato di pagare o rimborsare le spese indicate dettagliatamente nella memoria allegata¹⁾.

Annexes: ANNEXES: Beilagen: Allegati: Gerichtliche Verfügung vom 08.02.2013, Aufforderung

Pièces renvoyées: DOCUMENTS RETURNED: vom 14.01.2013 zur Beantwortung einer Zivilklage...

Zurückgesandte Schriftstücke: Atti restituiti: ergänzte Klage mit Bestätigung der Zustellung und...

Le cas échéant, les documents justificatifs de l'exécution: Anlagen A - IN APPROPRIATE CASE DOCUMENTS ESTABLISHING THE EXECUTION

Gegebenenfalls Erledigungsstücke: Az: 12-CV-537-JED-TLW des US District Court for the Northern

District of Oklahoma

Fait à DONE AT Ausgefertigt in Fatto a Frankfurt am Main.....

le 26.03.2013

Signature et/ou cachet SIGNATURE AND/OR STAMP

Unterschrift und/oder Stempel Firma e/o timbro

1) Rayer les mentions inutiles DELETE IF INAPPROPRIATE Uncutreffendes streichen Cancellare le annotazioni

Fröder, Rechtspflegerin

**REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR EXTRA JUDICIAL DOCUMENTS**

DEMANDE

*AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE*

Convention on the service abroad of judicial and extrajudicial documents in civil or
commercial matters, signed at The Hague, November 15, 1965

*Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extra-judiciaires en matière civile
ou commerciale, signée à La Haye, le 15 Novembre 1965.*

Oberlandesgericht

Frankfurt am Main

* 25. Feb. 2013 *

..... - Anl. - - Beleg(e) -
..... - Doppel - mit Anl. -)
..... Band Akten Heft

Identity and address of the applicant
Indentité et adresse du requérant

L. Celeste Ingalls **
Crowe Foreign Services
1020 SW Taylor Street, Suite 240
Portland, Oregon 97205
USA
Email: Lci@foreignservices.com
Facsimile No. 1-503-222-3950

Address of receiving authority
Adresse de l'autorité destinataire

Oberlandesgericht Frankfurt am Main
Zeil 42
Postfach 10 01 01
60313 Frankfurt am Main
Deutschland
Tel.: +49 (69) 1367 01 Fax: +49 (69) 1367 2976

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,

(identity and address)

*Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - à l'autorité destinataire les documents ci-dessous énumérés en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savor:
(identité et adresse)*

One Equity Partners (Europe) GmbH
Taunusanlage 21
60325 Frankfurt am Main

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) *selon les formes légales (article 5, alinéa premier, lettre a).*

(b) **in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:**
b) *selon la forme particulière suivante (article 5, alinéa premier, lettre b):*

(c) **by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.**
e) *le cas échéant, par remise simple (article 5, alinéa 2).*

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate as provided on the reverse side.

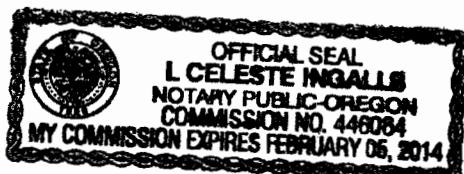
Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant au verso.

List of documents

Enumération des pièces

Done at Portland, Oregon, USA, the 1st day of Feb, 2013.
Fait à Portland, Oregon, USA, le...

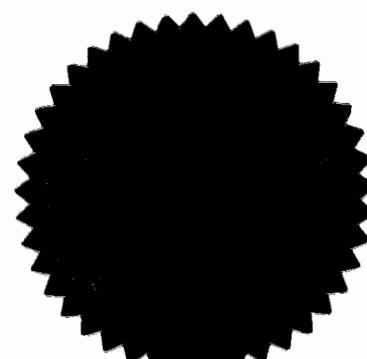
Signature and/or stamp.
Signature et/ou cachet



L. Celeste Ingalls

* Delete if inappropriate
Rayer les mentions inutiles

** Authorized applicant pursuant to Rule 4(c)(2) of the Federal Rules
of Civil Procedure, Public Law 97-462 AND
United States District Court Order
*** With German translation



SUMMARY OF THE DOCUMENT TO BE SERVED
ELEMENTS ESSENTIELS DE L'ACTE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965

Convention relative à la signification et à la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale, signée à La Hague, le 15 Novembre 1965.

(article 5, fourth paragraph)
(article 5, alinéa 4)

Name and address of the requesting authority: **Charles Barrett, Esq.**
Nom et adresse de l'autorité requérante: **Charles Barrett PC**
6518 Highway 100, Suite 210
Nashville, TN 37205, USA

Particulars of the parties*: **Pinnacle Packaging Company, Inc., et al.** **PLAINTIFFS**
Indentité des parties: **One Equity Partners LLC, et al.....** **DEFENDANTS**

JUDICIAL DOCUMENT**
ACTE JUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte: **To give notice to defendant, One Equity Partners (Europe) GmbH, of institution against it of a claim for damages and to summon it to answer the claim.**

Nature and purpose of the proceedings, and, where appropriate, the amount in dispute:

Nature et objet de l' instance, le cas échéant, le montant du litige:

Civil claim alleging breach of contract and related actions. Plaintiffs' claims include, but are not limited to, allegations that the Defendants breached their contract with Plaintiffs causing plaintiffs to suffer damages. Plaintiffs seek judgment for damages in an amount to be determined including, but not limited to, attorneys fees, costs of suit, and such other and further relief as the court deems just and proper.

Date and place for entering appearance:** **N/A**
Date et lieu de la comparution:

Court which has given judgment:** **N/A**
Jurisdiction qui a rendu la décision:

Date of judgment:** **N/A**
Date de la décision:

Time limits stated in the document:**
Indication des délais figurant dans l'acte: **Defendant is required to serve an ANSWER upon Plaintiff's attorney and file same ANSWER with the Court within twenty-one (21) days after receipt of the Summons in a Civil Action and other documents herein.**

EXTRAJUDICIAL DOCUMENT*
ACTE EXTRAJUDICIAIRE

Nature and purpose of the document: **N/A**
Nature et objet de l'acte:

Time limits stated in the document:** **N/A**
Indication des délais figurant dans l'acte:

*** If appropriate, identity and address of the person interested in the transmission of the document.**
S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte.

**** Delete if inappropriate.**
Rayez les mentions inutiles.

ZUSAMMENFASSUNG DES ZUZUSTELLEN DEN DOKUMENTS

SEITE 2 VON 2

SUMMARY OF THE DOCUMENT TO BE SERVED

PAGE 2 OF 2

Übereinkommen über die Zustellung und Übermittlung gerichtlicher und außergerichtlicher Urkunden in Zivil- und Handelssachen im Ausland, unterzeichnet in Den Haag am 15. November 1965

(Artikel 5, vierter Paragraph)

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters,

signed at The Hague, the 15th of November 1965

(Article 5, fourth paragraph)

*Identität und Anschrift des Empfängers:
Identity and address of the addressee / --:*

**One Equity Partners (Europe) GmbH
Taunusanlage 21
60325 Frankfurt am Main**

WICHTIG

DAS BEILIEGENDE DOKUMENT IST VON RECHTLICHER NATUR UND KANN SICH AUF IHRE RECHTE UND VERPFLICHTUNGEN AUSWIRKEN. DIE ZUSAMMENFASSUNG DES ZUZUSTELLEN DEN DOKUMENTS GIBT IHNEN EINIGE INFORMATIONEN ÜBER SEINE NATUR UND SEINEN ZWECK. SIE SOLLTEN JEDOCH DAS DOKUMENT SELBST GENAU DURCHLESEN. ES IST UNTER UMSTÄNDEN ERFORDERLICH, SICH RECHTLICH BERATEN ZU LASSEN.

WENN IHRE FINANZIELLEN RESSOURCEN NICHT AUSREICHEN, SOLLTEN SIE INFORMATIONEN ÜBER DIE MÖGLICHKEIT DES BEZUGS VON PROZESSKOSTEN- ODER BERATUNGSHILFE ENTWEDER IM LAND, IN DEM SIE WOHNEN, ODER IM LAND, IN DEM DAS DOKUMENT AUSGEGEBEN WURDE, EINHOLEN.

FRAGEN ZUR VERFÜGBARKEIT VON PROZESSKOSTEN- ODER BERATUNGSHILFE IN DEM LAND, WO DAS DOKUMENT AUSGEGEBEN WURDE, KÖNNEN GERICHTET WERDEN AN:

Legal Aid Services of Oklahoma, Inc. Administrative Offices
2915 N Classen Boulevard, Suite 500
Oklahoma City, OK 73106
1-888-534-5243

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE 'SUMMARY OF THE DOCUMENT TO BE SERVED' WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD, HOWEVER, READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT, YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

Legal Aid Services of Oklahoma, Inc. Administrative Offices
2915 N Classen Boulevard, Suite 500
Oklahoma City, OK 73106
1-888-534-5243